

**August 25, 2009**

We concur: Chaney, J.  
Johnson, J.

DIVISION ONE (continued)

B213627      In re Portillo on Habeas Corpus      (Not for Publication)

The petition for a writ of habeas corpus is granted, and the Board's decision is hereby vacated. The Board is directed to find Portillo suitable for parole unless, within 30 days of the finality of this decision, the Board holds a parole suitability hearing and finds, based on new evidence, that he currently poses an unreasonable risk of danger to society if released on parole.

Mallano, P.J.

We concur:    Rothschild, J.  
                     Chaney, J.

B210694      People      (Not for Publication)  
                     v.  
                     Austin

The judgment is reversed.

Mallano, P.J.

We concur:    Rothschild, J.  
                     Johnson, J.

B206400      People      (Not for Publication)  
                     v.  
                     Ceja

The judgment is affirmed.

Mallano, P.J.

We concur:    Rothschild, J.  
                     Chaney, J.

DIVISION TWO

B208211      People      (Not for Publication)

v.  
Thymes

The judgment is affirmed.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Ashmann-Gerst, J.

B209287      People      (Not for Publication)

v.  
Briggs

The judgment is affirmed.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Chavez, J.

B207293      People      (Not for Publication)

v.  
Pollock

The judgment is affirmed.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Ashmann-Gerst, J.

## DIVISION TWO (continued)

B208171 People (Not for Publication)  
v.  
Pacheco

The judgment is affirmed.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

DIVISION THREE

B213897 People (Not for Publication)  
v.  
Jackson

The trial court is directed to award Jackson presentence custody credit for 345 days actually served and 172 days of good time/work time, for a total of 517 days. A corrected copy of the abstract of judgment is then to be forwarded to the Department of Corrections. In all other respects, the judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Kitching, J.

DIVISION FOUR

B213514      Los Angeles County, D.C.F.S.      (Not for Publication)  
                 v.  
                 D.T.

The order granting sole physical custody of A.Y. to father is affirmed.

Epstein, P.J.

We concur:   Willhite, J.  
                 Manella, J.

B209923      Campbell      (Not for Publication)  
                 v.  
                 American Standard, Inc.,

The order dismissing Campbell's action is reversed, and the matter is  
remanded for further proceedings in accordance with this opinion.  
Campbell is awarded his costs on appeal.

Manella, J.

We concur:   Willhite, Acting P.J.  
                 Suzukawa, J.

B211156      People      (Not for Publication)  
                 v.  
                 J.C.

The order is affirmed.

Willhite, J.

We concur:   Epstein, P.J.  
                 Manella, J.

August 25, 2009 (Continued)

## DIVISION FOUR (continued)

B208148 People (Not for Publication)  
v.  
Escalante

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Manella, J.

DIVISION FIVE

B210931 Food Makers Bakery Equipment  
v.  
Redevelopment Agency of City of Monrovia

Filed order denying petition for rehearing. Mosk would grant rehearing.

DIVISION SIX

B216139      A.P.      (Not for Publication)  
v.  
The Superior Court of Santa Barbara County  
Child Welfare Services

The petition is denied.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

DIVISION SIX (continued)

B208538      People  
                 v.  
                 J.C.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B209295      People  
                 v.  
                 Bruce Thornton Sanborn

Filed order denying petition for rehearing.

DIVISION SEVEN

B212603      Rion Alicia Newton Rodriguez                      (Certified for Publication)  
                 v.  
                 Superior Court, Los Angeles County  
                 (Sandy Witzling et al., r.p.i.)

The petition for writ of mandate is granted. The trial court is directed to vacate its order of October 23, 2008, compelling arbitration, and to issue an order that the matter be tried before a jury. Rodriguez shall recover her costs of this proceeding.

Jackson, J.

We concur:    Perluss, P.J.  
                      Zelon, J.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Rubin, Acting P.J., Bigelow, J., Bendix, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

DIVISION EIGHT (continued)

Each of the following:

B210333 County of LA v. Indiana Lumbermens Mutual Ins.

B213926 DCFS v. S.W.

B212417 DCFS v. B.W.

B213563 DCFS v. E.R. et al.

B208168 People v. Louden

B207542 People v. Wernke

Argument waived, cause submitted.

B213200 Los Angeles County, D.C.F.S.

v.

M.B.,

Merits:

Argued by Jennifer Mack for appellant and by Melina white-Svec, Deputy County Counsel, for respondent. Cause submitted.

Flier, J. came to the bench.

B209003 Corine Carmona

v.

Developers Diversified Realty

Merits:

Argued by John Derrick for appellant and by R. Joseph Decker for respondent. Cause submitted.

B208520 Robert Culp

v.

City of Los Angeles

Merits:

Argued by David Casselman for appellant and by John Carvalho, Deputy City Attorney, for respondent. Cause submitted.



DIVISION EIGHT (continued)

B209111     People  
              v.  
              Michael J. Herrera

Merits:  
Argued by Matthew D. Alger for appellant and by Tita Nguyen, Deputy Attorney General, for respondent. Cause submitted.

Court recessed.

Court reconvened at 10:57 a.m.

Present: Rubin, Acting P.J., Bigelow, J., Bendix, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

B203691     John D. Williams et al.,  
              v.  
              Hilb, Rogal & Hobbs Insurance Services of California, Inc.,

Merits:  
Argued by Roy G. Weatherup for appellant and by Patrick Vastano for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:01 p.m.

Present: Rubin, Acting P.J., Flier, J., Bigelow, J., Bendix, J. (Assigned) and Emma Jean Amos, Deputy Clerk.

B211896     People  
              v.  
              Rigoberto Arellano

Merits:  
Argued by Carey D. Gorden for appellant and by David Glassman, Deputy Attorney General, for respondent. Cause submitted.

DIVISION EIGHT (continued)

B20841      Larry Tagawa  
              v.  
              City Of Los Angeles Department Of Water

Merits:  
Argued by Jerry L. Webb for appellant and by Lisa S. Berger, Deputy City Attorney, for respondent. Cause submitted.

Bigelow, J. left the bench.

B206272      John Doe (WP)  
              v.  
              The Roman Catholic Archbishop Of Cashel & Emly

Merits:  
Argued by Vince W. Finaldi for appellant and by Nicholas W. Heldt for respondent. Cause submitted.

B207265      Robyn S. Osinoff  
              v.  
              William Glucksman et al.,

Merits:  
Argued by Alan Goldberg and Hugh Lipton for appellant; by Efrem A. Compean for respondents Taylor & Edward Lieberman and J. Sweeney; and by Edith R. Matthai for respondents Glucksman and Kolodny & Anteau. Cause submitted.

B207436      Executive Accounts Management, Inc.,  
              v.  
              Newcom, Inc.,

Oral argument continued to September 29, 2009, 1:00 p.m.

DIVISION EIGHT (continued)

B201113      Oakhurst Industries, Inc.,  
                 v.  
                 Tubeway Associates, L.P.

Oral argument continued to September 30, 2009, at 9:00 a.m.

B185940      People  
                 v.  
                 Barba

Matter ordered off calendar.

B209912      Twin Med, LLC  
                 v.  
                 JPH Management

Oral argument continued to September 30, 2009, at 10:00 p.m.

Court adjourned.